

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., a Delaware
corporation,

Plaintiff,

v.

CYBERPOWER PTY, LTD., a foreign
corporation, LEONID "LEO" RADVINSKY,
an individual, ACTIVSOFT, INC., an Illinois
corporation, and JOHN DOES 3-20,

Defendants.

No. C03-2620P

STIPULATION FOR ENTRY OF
PERMANENT INJUNCTION

Plaintiff Amazon.com, Inc. ("Amazon.com") and defendants Leonid "Leo" Radvinsky and
ActivSoft, Inc. (collectively "defendants"), have entered into a binding Settlement Agreement
resolving all claims arising out of the actions alleged in Amazon.com's First Amended Complaint
for Damages and Injunction in this matter. Amazon.com and defendants hereby STIPULATE AND
AGREE to the entry of an Order Granting the Parties' Stipulated Permanent Injunction in favor of
Amazon.com against defendants in the form attached hereto as Exhibit A.

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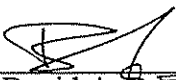
STIPULATION FOR ENTRY OF
PERMANENT INJUNCTION - 1
CASE NO. C03-2620P

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TELEPHONE: (206) 623-7580
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1 DATED this 3rd day of ^{April} ~~March~~, 2005.

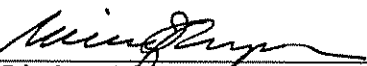
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Attorneys for Plaintiff
Amazon.com, Inc.

DATED this 5th day of ^{April} ~~March~~, 2005.

Thompson Gipe, P.C.

By 
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Attorneys for Defendants Leonid "Leo"
Radvinsky and Activsoft, Inc.

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Defendants.

No. C03-2620P

ORDER GRANTING PARTIES'
STIPULATED PERMANENT
INJUNCTION

Plaintiff Amazon.com ("Amazon.com") and defendants Leonid "Leo" Radvinsky and
ActivSoft, Inc. (collectively "defendants") have entered into a binding Settlement Agreement
resolving all claims against defendants arising out of the actions alleged in Amazon.com's First
Complaint for Damages and Injunction in this matter, and have stipulated to the entry of this
Permanent Injunction in favor of Amazon.com against defendants.

Based on the Stipulation of the parties, it is hereby ORDERED as follows:

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ORDER GRANTING PARTIES STIPULATED
PERMANENT INJUNCTION - 1
CASE NO. C03-2620P

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Exhibit

A

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ORDER

Defendants along with their directors, principals, officers, agents, servants, employees, representatives, successors and assigns, and all those persons or entities acting in concert or participation with them, shall be and hereby are PERMANENTLY ENJOINED and restrained from:

a. sending or transmitting, or directing, aiding, facilitating or conspiring with others to send or transmit, any electronic mail messages, or any electronic communication of any kind, that uses or incorporates "amazon.com" or any other Amazon.com trademark in those messages, unless specifically authorized by Amazon.com; and

b. sending or transmitting, or directing, aiding, or conspiring, with others to send or transmit, electronic mail messages, or any other electronic communications of any kind, bearing "amazon.com" or any other Amazon.com trademark, in the origination or return information of those messages, unless specifically authorized by Amazon.com.

ORDER GRANTED this _____ day of March, 2005.

The Honorable Marsha J. Pechman

Presented by:

PRESTON GATES & ELLIS LLP

By /s/ Robert J. Dzielak
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ORDER GRANTING PARTIES STIPULATED
PERMANENT INJUNCTION - 2
CASE NO. C03-2620P

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